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January 10, 2012

**VIA ELECTRONIC AND U.S. MAIL**

Ms. Caroline Kwan  
Remedial Project Manager  
Special Projects Branch  
Emergency and Remedial Response Division  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 20<sup>th</sup> Floor  
New York, New York 10007-1866

Re: Progress Report No. 6 – December 2011  
Newtown Creek Remedial Investigation/Feasibility Study

Dear Ms. Kwan:

Anchor QEA is submitting this monthly progress report for the Newtown Creek Remedial Investigation/Feasibility Study (RI/FS) on behalf of the Respondents to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). As set forth in Section 42 of said Settlement Agreement, this progress report is divided into the following areas:

1. Actions taken to comply with the Settlement Agreement during the previous month
2. Results of sampling and tests and all other data received by Respondents to the Settlement Agreement during the previous month
3. Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays
4. Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion



**1. *Actions Taken to Comply with Settlement Agreement during Previous Month***

- Technical Documents
  - Anchor QEA held a call with USEPA on December 8 to clarify several comments on the Draft Screening Level Ecological Risk Assessment (SLERA) Technical Memorandum No. 1. Issues discussed on this call included: 1) presentation of all potential receptors in the conceptual site model (CSM) in the SLERA; 2) use of both maximum and mean biota-to-sediment accumulation factors (BSAFs) in screening calculations; and (3) components of the SLERA process moving forward. Responses to the comments on the Draft SLERA Technical Memorandum No. 1 were submitted to USEPA on December 14.
- Phase 1 Field Activities
  - Boat-based and land-based surveys of the Study Area were conducted as part of the Cultural Resources Stage IA Survey on December 6 and 7. USEPA's cultural resources lead, Dr. John Vetter, accompanied the field crew on the boat-based survey on December 6.
- Historical data collection, inventory, and review efforts continued.
- Planning for 2012 field activities continued.
- Development of the project website continued.

**2. *Results of Sampling and Tests and Other Data Received by Respondents during Previous Month***

- Preliminary results of the hydrographic, side scan sonar, and magnetometer surveys were received. These data are undergoing quality control (QC) review and will be provided to USEPA once QC activities are completed.
- Preliminary data from the shoreline survey and opportunistic water sampling are being compiled and are undergoing QC review. These data will be provided to USEPA once QC activities are completed.

### ***3. Encountered and Anticipated Problems and/or Delays, and Solutions Developed and Implemented to Address Them***

- The schedule outlined in the AOC indicates that two project documents (Phase 1 RI Interim Data Report and Phase 1 RI Work Plan Addendum) are due to USEPA 90 days after the commencement of the Phase 1 RI field program, or May 29, 2012. This schedule was developed with the intent of using site-specific chemistry data obtained during early portions of the field program to inform the development of these two documents. However, select field activities were voluntarily commenced earlier than the required under the AOC schedule, which resulted in a revised submittal date of January 30, 2012, for both documents. This, coupled with the fact that water and sediment chemistry sampling is scheduled to begin in early 2012 (due to winter weather conditions), means that site-specific chemistry data will not be available for consideration as originally planned. For this reason, on November 29, Anchor QEA requested that the submittal dates for these two documents be returned to May 29, 2012 (per the original AOC). Anchor QEA also requested a May 29, 2012, submittal date for the Data Applicability Report, as this document is closely linked to the Phase 1 RI Work Plan Addendum. In an e-mail dated January 5, 2012, USEPA agreed with maintaining the original AOC schedule for these documents, and approved the request for returning the submittal date for these documents to May 29, 2012.

### ***4. Work Planned for the Next Two Months with Schedules Relating to the Overall Project Schedule for RI/FS Completion***

- Revise and submit a final SLERA Technical Memorandum No. 1 (date to be determined).
- Commence response to USEPA comments on prior draft submittals, in accordance with the RI/FS schedule:
  - Draft Reference Area Site Selection Memorandum
  - Draft Preliminary ARAR and TBC Tables for Consideration at Newtown Creek
  - Draft Modeling Approach Memorandum (1)
- Review and validate the results of opportunistic water sampling conducted during the shoreline survey.

- Retrieve and review existing data to support identification of preliminary reference areas.
- Continue historical data collection, inventory, and review activities.
- Continue planning for 2012 RI-related field activities.
- Continue to develop the Newtown Creek project website.

If you have any questions regarding this progress report, please do not hesitate to contact me at (201) 571-0912 (e-mail: [jquadrini@anchorqea.com](mailto:jquadrini@anchorqea.com)).

Sincerely,



Jim Quadrini, P.E., BCEE

Anchor QEA, LLC

cc: Nica Klaber, USEPA Region 2 Remedial Project Manager  
Michael Mintzer, USEPA Region 2 Assistant Regional Counsel  
Ian Beilby, NYSDEC, Division of Environmental Remediation  
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